

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

TRACY LAMAR BROWN,

Plaintiff,

VS.

SHERIFF JERRY STUDDARD, *et al.*

Defendants.

1:03-cv-00476-KOB-HGD

## MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on September 12, 2005, recommending that this action be dismissed without prejudice pursuant to 42 U.S.C. § 1997e(a). The plaintiff filed objections to the report and recommendation on October 17, 2005.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed without prejudice, pursuant to 42 U.S.C. § 1997e(a). A Final Judgment will be entered.

DATED this 28<sup>th</sup> day of October 2005.

*Karon O. Bowdre*  
KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE